

TRACY L. MAINGUY, Bar No. 176928  
OPERATING ENGINEERS LOCAL UNION NO. 3 TRUST FUNDS- MULTI-SERVICES  
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Attorney for the Plaintiffs

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
(SAN FRANCISCO DIVISION)

GIL CROSTHWAITE, JOHN BONILLA, in ) Case No.: C 06-3876 SI  
their respective capacities as Trustees of the )  
OPERATING ENGINEERS HEALTH AND )  
WELFARE TRUST FUND FOR ) **NOTICE OF VOLUNTARY DISMISSAL**  
NORTHERN CALIFORNIA et al., ) **WITHOUT PREJUDICE; ORDER**  
 ) **THEREON**

Plaintiffs,  
vs.

K & K CRANE RENTAL SERVICE, INC. et )  
al., )  
 )  
Defendants. )

/////

NOTICE OF VOLUNTARY DISMISSAL; [PROPOSED] ORDER THEREON;  
Case No. C 06-3876 SI

1 NOTICE IS HEREBY GIVEN THAT PURSUANT to Federal Rule of Civil Procedure  
2 41(a), Plaintiffs voluntarily dismiss the above-captioned action without prejudice as to  
3 Defendants, and each of them. Defendants were served with the complaint and summons  
4 relating to this matter, but have not answered. The audit liability sought in the complaint has  
5 been paid by the Defendants.

6 RESPECTFULLY SUBMITTED.

7 Dated this 7th day of March of 2007

8 OPERATING ENGINEERS LOCAL UNION  
9 NO. 3 TRUST FUNDS – MULTI-SERVICES

10 By: Tracy L. Mainguy  
11 TRACY L. MAINGUY  
12 ATTORNEY FOR PLAINTIFFS  
13 OPERATING ENGINEERS TRUST  
14 FUNDS

15 Based upon the above and pursuant to Federal Rule Of Civil Procedure 41(a), this matter  
16 is dismissed without prejudice as to Defendants.

17 Dated:

18 Susan Illston  
19 SUSAN ILLSTON  
20 HON. UNITED STATES DISTRICT JUDGE  
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